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Dated: February 10, 2003

Signature:

(Shawn P. Foley)

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Docket No.: EGYPSA 3.0-013
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Legrain et al.

Application No.: 09/921,397

Group Art Unit: 1646

Filed: August 2, 2001

Examiner: Mosher

For: SID NUCLEIC ACIDS AND POLYPEPTIDES
SELECTED FROM A PATHOGENIC STRAIN
OF HEPATITIS C VIRUS AND
APPLICATIONS THEREOF

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Office Communication mailed November 8, 2002, Applicants hereby elect claims 1-6, 12-22 and 62, drawn to nucleic acids, recombinant vectors, cell hosts, sets of two nucleic acids and pharmaceutical compositions. Pursuant to the guidelines set forth in MPEP §803.04, Applicants hereby elect the following ten (10) nucleic acid sequences: SEQ ID NO:42; SEQ ID NO:45; SEQ ID NO:50; SEQ ID NO:51; SEQ ID NO:56; SEQ ID NO:58; SEQ ID NO:65; SEQ ID NO:68; SEQ ID NO:69 and SEQ ID NO:70. This election is made with traverse.

Initially, Applicants point out that claims 24 and 26, which have been included in Groups 39-76, are actually drawn to sets of two polypeptides and complexes of the sets. Thus, it would appear that these claims should be grouped with the claims set forth in Groups 1-38 drawn to polypeptides, and that claim 22, which is drawn to a set of two nucleic acids, should be included in the groups elected for prosecution.

Aside from the foregoing, Applicants respectfully request modification of the

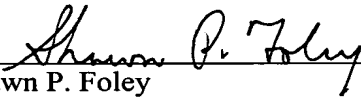
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restriction requirement so as to include other claims that recite the nucleic acids, *e.g.*, claims 27-30, 44-50 and 64. On page 3 of the Office Action, claim 64 has been grouped with claim 63 as directed to "treatment method using polypeptide," but this claim actually recites, *inter alia*, administering a recombinant expression vector comprising a polynucleotide. Applicants submit that the inventions defined by these claims are technologically inter-related with the inventions defined by the elected claims, and that the searches would not necessarily be "divergent," as alleged in the Office Action.

In view of the foregoing, Applicants respectfully request modification of the restriction requirement, to include claims 27-30, 44-50 and 64 with the elected claims.

Dated: February 10, 2003

Respectfully submitted,

By 
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